



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/054,653 Confirmation No.: 9448  
First Named Inventor: Bulucea, Constantin Filing Date: 18 January 2002  
Group Art Unit: 2814 Examiner: Farahani, D.  
Atty. Docket No.: NS-5127 US  
Title: Gate-Enhanced Junction Varactor With Gradual Capacitance Variation  
Assignee(s): National Semiconductor Corporation

Mountain View, California  
29 August 2005

**MAIL STOP AF  
COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, Virginia 22313-1450**

**AMENDMENT UNDER 37 CFR 1.116**

Sir:

This amendment is tentatively submitted under 37 CFR 1.116 in response to the Office Action mailed 31 May 2005 for the above patent application.

The 31 May 2005 Office Action is unclear as to the status of the above application. The first page of the 31 May 2005 Office Action specifies that "This action is **FINAL**". However, nowhere does the body of the 31 May 2005 Office Action indicate that it is indeed a final action. Contrary to what is specified in the Manual of Patent Examining Procedure, the body of the 31 May 2005 Office Action does not include Form Paragraph 7.39 advising Applicant of the restrictions that apply in the event of a final office action.

Due to the unclear status of the above application, the status should be returned to non-final status in which amendment of the application is not limited by 37 CFR 1.116. In view of this, please amend the above application in the following manner.

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JRW

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Sir:

Transmitted herewith are the following documents for the above patent application:

1. Return Receipt Postcard;
2. This Transmittal Letter (in duplicate);
3. Amendment Under 37 CFR 1.116 (56 pp.).

The fee has been calculated as shown below:

**CLAIMS AS AMENDED**

			Highest No.						
	Claims Remaining <i>After Amendment</i>		Previously <u>Paid For</u>		Present <u>Extra</u>		Rate		<u>Additional Fee</u>
<b>Total Claims</b>	<b>86</b>	<b>Minus</b>	<b>86</b>	<b>=</b>	<b>0</b>	<b>x</b>	<b>\$50.00</b>	<b>\$</b>	<b>0.00</b>
Independent Claims	5	Minus	6	=	0	x	\$200.00	\$	0.00
<input type="checkbox"/> Fee of \$360 for the first filing of one or more multiple dependent claims							\$		
<input type="checkbox"/> Fee for Request for Extension of Time ( month(s) )							\$		
<input type="checkbox"/> Fee for							\$		
<b>Total additional fee for this Amendment:</b>							\$		0.00
<input checked="" type="checkbox"/> Please charge Deposit Account No. 502641 in the amount of							\$		0.00
<input checked="" type="checkbox"/> Conditional Petition for Extension of Time: If an extension of time is required, the Commissioner is authorized to deduct the necessary fee from Deposit Account No. 502641.									
<input checked="" type="checkbox"/> Also, charge any additional fees required and credit any overpayment to Deposit Account No. 502641.									

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Respectfully submitted,

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